

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MARISA WOODHOUSE,	)	
Plaintiff,	)	1:11-cv-3559
	)	
v.	)	Judge Guzman
	)	
VALENTINE & KEBARTAS, INC.,	)	
Defendant.	)	JURY TRIAL DEMANDED

**PLAINTIFF'S STATUS REPORT**

This is a Fair Debt Collection Practices Act, 15 U.S.C. §1692 et seq. and Telephone Consumer Protection Act, 47 U.S.C. §227(b) case against a debt collection agency for improper debt collection telephone calls to the plaintiff's cellular telephone. Plaintiff obtained service upon defendant on June 8, 2011. Defendant has not answered.

Defendant contacted plaintiff shortly after service through its "office manager" Robert Handley, and the parties corresponded about the possibility of early settlement. Plaintiff requested information regarding the number of autodialed calls to plaintiff's cell phone ("account notes"), but defendant has not produced this information, and has apparently not hired counsel.

Plaintiff's counsel called and sent Mr. Handley an email on July 19, 2011, to determine what course of action defendant intends to take, and had not heard back as of the filing of this document. Plaintiff's counsel also notified a local FDCPA defense attorney of the case and the default, in the event that the case "slipped through the cracks."

If defendant does not appear, and does not intend to appear, plaintiff intends to take a default and requests leave to issue and take limited discovery on the nature of defendant's

telephone systems, defendant's "willfulness" pursuant to the TCPA and the number of telephone calls defendant made to plaintiff's cellular telephone, and the damages factors presented by 15 U.S.C. §1692k(b)(1) in order to prove up damages. Plaintiff will also need to submit a petition for costs and fees.

Respectfully submitted,

/s/Alexander H. Burke

**BURKE LAW OFFICES, LLC**

155 N. Michigan Ave., Suite 9020  
Chicago, IL 60601  
(312) 729-5288  
(312) 729-5289 (fax)  
[ABurke@BurkeLawLLC.com](mailto:ABurke@BurkeLawLLC.com)  
[www.BurkeLawLLC.com](http://www.BurkeLawLLC.com)